

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

CHASITY FORTENBERRY, on behalf)	
of herself and all similarly situated)	Civil Action
individuals,)	File No. 1:13-0517-AT
)	
Plaintiff,)	JURY TRIAL DEMANDED
v.)	
)	
PROMONTORY FINANCIAL GROUP,)	
LLC,)	
)	
Defendant.)	

**PLAINTIFF CHASITY FORTENBERRY’S REPLY IN SUPPORT OF MOTION TO TOLL
THE STATUTE OF LIMITATIONS FOR PLAINTIFF AND THE OPT-IN PLAINTIFFS TO
BRING CLAIMS IN ARBITRATION AGAINST PROPOSED INTERVENOR
SOLOMON EDWARDS GROUP, LLC**

SEG has filed its response to this motion and does not oppose tolling the statute of limitations to the extent “it applies only to Plaintiff Chasity Fortenberry and any other individuals who timely file consent forms to join this lawsuit prior to this Court’s decision on SEG’s renewed Motions to intervene and compel arbitration.” (Doc. 127, at 1-2). SEG acknowledges that 48 individuals have filed their consent to join this action, one of which, Aniya Kabeer, SEG asserts it did not employ. (Doc. 127, at 2, fn. 1).

The relief Plaintiff seeks with this motion is that which SEG does not oppose, i.e. Plaintiff seeks to toll the statute of limitations for opt-ins to bring their claims in arbitration against SEG to the extent such individuals have filed timely opt-in consent forms to join this action prior to the Court ruling on SEG's pending Motions to intervene and compel arbitration.¹

Given that SEG does not oppose this relief, and for the reasons set forth in Plaintiff's memorandum in support of this motion, Plaintiff requests that the Court grant the motion in the event the Court grants SEG's pending Motions to intervene and compel arbitration.

This 2nd day of December, 2013.

By: s/V. Severin Roberts
V. Severin Roberts
Georgia Bar No. 940504

BARRETT & FARAHANY, LLP
1100 Peachtree Street, N.E.
Suite 500
Atlanta, Georgia 30309
(404) 214-0120

¹ As to Aniya Kabeer, she reportedly began working on the foreclosure review in January 2012, i.e. the statute of limitations is not currently running on her claims. Plaintiff's counsel will determine the course of action with Kabeer's claim this month and therefore tolling is not necessary for this claim (though counsel would welcome the Court tolling the statute for Kabeer's claim *sua sponte*).

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **Plaintiff Chasity Fortenberry's Reply in Support of Motion to Toll the Statute of Limitations for Plaintiff and the Opt-in plaintiffs to Bring Claims in Arbitration against Proposed Intervenor SolomonEdwardsGroup, LLC** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

This 2nd day of December, 2013.

By: s/V. Severin Roberts
V. Severin Roberts
Georgia Bar No. 940504

BARRETT & FARAHANY, LLP
1100 Peachtree Street, N.E.
Suite 500
Atlanta, Georgia 30309